SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/519,420	08/25/95	FUKUNAGA	0756-1393

	EXAMINER
	PADGETT,M

ART UNIT	PAPER NUMBER
1112	10

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DATE MAILED:

12/17/96

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

a) ☐ is extended to run _____ or continues to run _____ from the date of the final rejection

b) ☒ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition , and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed _12/6/96_ has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☒ The proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:

   a. ☒ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.

   b. ☒ They raise new issues that would require further consideration and/or search. (See Note).

   c. ☒ They raise the issue of new matter. (See Note).

   d. ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

   e. ☒ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: *The amendments to claims 1-2 creat new issues as these steps have not before been combined with the claimed effects. Also it is unclear if the irradiating and thermal reading are the same step or not, and "the temperature range..." lacks antecedent basis. Conversely, the succeeding amendments newly add the effect to the claims. The patterning and addition of impurities are new issues not previously claimed. Support for amendments other than 10, was not given, and that for*

2. ☐ Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:

   Claims allowed: _____
   Claims objected to: _____
   Claims rejected: _1-4, 6-15 & 17-22_

   However;

   ☒ Applicant's response has overcome the following rejection(s): _corrected the 112 problem in claim 10_

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because _further consideration of the new issues is required, with the probability of revising 102 rejections to 103 rejections, etc._

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.

☒ The proposed drawing correction ☐ has ☒ has not been approved by the examiner, _because no attached sheet showing_
☒ Other _the proposed changes was found in the file._
as claimed is questionable. page 11 gives temperature for heat treating / M. an ane Padgett
to that the alloy at 450-750° either before laser irradiation or after, but